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ANSWERS

THE

SESSION of *Dunfermline*,

K. Dunfermline, Session
TO THE

REASONS of *Secession* given in by Nine
Elders to the said Session, upon the
Twenty first of *February*, 1740.

To which is added,

COPY *Secession* of the said Nine Elders.

WITH THE

REPRESENTATION of the Presbytery of
Dunfermline to the General Assembly in
the Year 1738.



EDINBURGH,

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ANSWERS the Kirk-Session of *Dunfermline*, &c.

BEFORE we enter upon the Answers to the above Reasons, it may not be improper to give a short Account of the State of the Session of *Dunfermline*, for two Years by-gone; the publishing whereof would probably never have been attempted by any, were it not to clear the Reverend Mr. *Wardlaw* Minister, and other Members of that Judicatory, from some false and unjust Accusations asserted by the Reverend Mr. *Erskine* Minister, in a Paper read by him in a very publick Manner, before some thousands, upon the Lord's Day, in the Church of *Dunfermline*, before divine Worship was over. In which Paper the said Mr. *Erskine* stages and accuses his Colleague, and other Members of the Session, as being guilty of gross Injustice, Lies, and clandestine Dealing, in an Act made by Mr. *Wardlaw* and Session, referring a Cause that came before them to the Presbytery of *Dunfermline* for Advice. By the reading of the foresaid Paper by the Reverend Mr. *Erskine*, in the Manner above, many People in the Parish of *Dunfermline*, and elsewhere, who were then present, are, and justly may be stumbled and offended at the Conduct of the Session, if what was then read was true, altho' owned to be read upon Information, which may be thought should have made the Reverend Mr. *Erskine* very sure of his Information being Fact, before it had been so publickly delivered: Therefore it seems necessary to lay the whole

of that Affair in a true Light, the greatest Part whereof is to be seen in the Records, and what of it is not there, is adhered to by the Session, that every unbiaſſed Perſon, who has Access to ſee this, may judge who have been guilty of Unjuſtice.

In the 1737, ſeveral Members of the Session fearing, and foreſeeing a Deſign of ſome of the Members to ſeparate from the Session, (in order to prevent a Rupture, eſpecially betwixt the two Miniſters, and to preſerve Harmony in the Session ſo long as they could) they conſented to an Overture propoſed in the Session, *viz.* That they ſhould, for the Ends above, delay, for ſome Time, their chuſing an Elder to attend the Presbytery: This they did notwithstanding their referring ſeveral Cauſes to the Presbytery after that, (which may be made evident afterward, and was ſomewhat inconfiſtent) till the 24th of *May* 1739, the Reverend Mr. *Erskine*, before his Colleague returned from the Aſſembly, cauſed it to be marked in the Session's Records; that this Day Mr. *Erskine* informed the Session, That he, together with the reſt of his Brethren of the aſſociate Presbytery, had, by an Act of their Presbytery, read judicially by them in the General Aſſembly at *Edinburgh*, on *Thursday* laſt Week, being the 17th of this Month, declined the Judicatories of this Church, that were carrying on a Courſe of Deſection, as no lawful nor right conſtituted Courts of Chriſt. And having read in the Session the ſaid Act or Declinator, motioned, that this Session ſhould take it under their Conſideration, in order to deliberate upon what might be their Duty with Reference to the ſaid Judicatories; and in Conſequence of the ſaid Act, that, after ſerious Prayer, both in ſecret and otherwiſe, they might come to determine themſelves in due Time, to what the Lord ſhall clear up to be incumbent upon them on this Head; which Motion the Session unanimoſly agreed unto: Whereupon Mr. *Erskine* deſired it to be marked, That as the Session, their having, for ſome Time bypaſt, ſuſpended and withdrawn their Connection with the ſuperior Judicatories, on Account of their publick Corruptions and Deſections, ſuch as are ſpecified in the foreſaid Declinator, had given him Free-
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dom to continue hitherto to sit in this Session, notwithstanding of his being a Member of the associate Presbytery, in Seceſſion from the ſaid Judicatories; ſo the Session going in to this Motion, contributes alſo, in Conjunction with the foreſaid Conſideration, to continue yet his former Freedom to ſit and preceed in this Session, notwithstanding the foreſaid Declinator, until the Session have due Time to deliberate upon this weighty Matter, now tabled before them, and to look up to Heaven for the Lord's determining them to that which they ſhall judge, from his Word, to be their Duty with Reference to this Matter, in their Sphere, and in a Suitableneſs to the Circumſtance of the Church of *Scotland* at this Juncture.

The above procured a further deſired Delay of the Separation; yet it is clear from the Contents thereof, that the Session were not to expect it long: For upon the 8th of *November* laſt, it was again revived in a Session when few of the Members were preſent, and propoſed as follows; The Session having reſumed the Conſideration of their former Reſolution, of ſuſpending their Connection with the preſent Judicatories of the Eſtabliſhed Church, the Plurality of the preſent Members declared they were for continuing in an interdependent Situation, without holding a Connection with the Eſtabliſhed Church; and agreed, that this Overture ſhould be read before the Session upon *Sabbath* the 11th of *November*, to be approved or diſapproved of by them: The which *Sabbath* Night, when the Session met, it was ſtrongly preſſed by ſome of the now ſeceding Elders, to have it brought to a Vote, in order to determine if the other Members had given up their Connection with the Judicatories of this Church, or not; and, with ſome Difficulty, it was got delayed till the *Thursday* thereafter, being reckoned a more proper Time than the *Sabbath*, for ſuch Jangling. Upon *Thursday* the Session being met, and, after ſome hot Reaſoning upon both Sides, the Reverend Mr. *Erskine* propoſed the following Overture, to which the Session agreed.

That the above Overture being read, ſhould be approved of, in order to preſerve Harmony amongſt the Session, with this Amendment, That the firſt difficult Matter which,

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in the Nature of the Thing, requires Reference to a superior Court, before it be determined, that a full Meeting of the Session shall be called, and they then determine whether the same shall be judged by the Established Church, or the associate Presbytery. This Act the other Members (endeavouring to preserve Harmony in the Session so long as they could) did not object against, else it is probable the seceding Elders would have given in their Secession that same Day, they then not being strong enough to carry it by a Vote. The other Party was satisfied with another short Delay, altho' at the same Time it was evident, that the above Act would, in a short Time, necessarily oblige the Session to divide, it being fully as inconsistent for Mr. *Wardlaw*, and the Elders joining with him, to refer any Cause to the associate Presbytery, as it is for Mr. *Erskine* and the seceding Elders to refer it to the Presbytery of *Dunfermline*.

Some short Time after this there came an Affair before the Session, which some of the Members inclined to refer to a superior Judicatory, and others thought it not necessary: And, upon *Monday* the 4th of *February* last, the Session having met, and few of the Members absent, it was pushed to bring it to a Vote, Refer that Affair to a superior Judicatory, or not? And Mr. *Erskine* and his Party voted to refer it, much against the Inclination of all the rest of the Session. The Person concerned in the Affair being very pressing to have it brought to a Decision without Delay, one of the Members proposed to determine the Affair upon *Thursday* first thereafter, being the seventh, but it was objected against, because the Elders were not called, according to the above Act; and it was told then, that *Thursday* the 14th would be the soonest they could meet for that End. And there being nothing proposed by any in the Session upon the foresaid *Monday*, that could be a Stop to the Decision, but the calling of the Elders as above, it natively followed, that after the Call was given, as upon the *Sabbath* Night it was, the first *Thursday* thereafter would be the Day for determining, being the first Day that the Session ordinarily meets: So that it is surprising to think any could
ever

ever dream of, or expect a further Delay than *Thursday* the 14th, especially considering, that upon *Thursday* the seventh, the Person concerned came to the Session, and pled for a Decision of his Affair, when he was told, where severals of the now seceding Elders were present, that it was to be determined the next *Thursday*, being the 14th, and not one Person objected then: But, upon the *Sabbath* Night, when the Session was called, it being intimate to that Meeting by some of the Elders, That *Thursday* first thereafter, that Affair was to be determined, altho' objected against by some of the now Seceders, upon groundless Alledgances; yet the Elders had no Ground to think, that the Affair would be delayed, especially considering what had passed upon the *Monday* and *Thursday* before: Yet a few of the Elders, who afterward seceded, by their own Authority, which they iniquiously assumed, appointed *Monday* the 25th to determine that Affair: Which Appointment of their own, they were sure to make good, with the rest of their Brethren, that were of their Way of thinking, by absenting themselves upon the appointed Day: For what Ends it is hard to judge, if it was not, that they had not their Party made, at that Time, to their Minds, and were sure to lose the Cause, if it was put to a Vote then; therefore it would seem, they, who pushed it so violently all along, wanted a short Delay longer, till they should get two Members of the Session made to their Purpose, which they have now effectually done; these Two, who spoke and voted against them, two Weeks before their appointed Day, having joined them upon that Day. But, to come to the Point, upon *Thursday* the 14th, the Session, being called, met, and the Person concerned attended to get his Answer, as promised the *Thursday* before; and it being very evident, that the now seceding Elders wilfully absented themselves, there being not one of them that attended the Session, except the Treasurer to get the Collection; the rest of the Elders knew, that altho' there was an Act made, as above, requiring That there should be a full Meeting of the Session called, yet there was no Act obliging any of the Parties to force the other to attend, or yet to wait upon their atten-

attending: Upon all which Considerations, the Session, then present, found it their plain Duty to determine, as follows,

A Copy of an Extract thereof.

AT *Dunfermline* the 14th Day of *February*, 1740 Years, Sederunt Mr. *Wardlaw* Moderator, after Prayer, *James Thomson*, *George Turnbull*, *John M'raich*, *James Hogg*, *Adam Anderson*, *James Main*, *Henry Thomson*, *David Wilson*, *George Hutton*, *John Angus*, *Alexander Spence*, *James Urquhart*, The Session, which met the first Monday of this Month had then under their Consideration the Affair of *Adam Hutton*, as in former Minutes, the Majority then agreed to refer the Case to a superior Judicatory; and *Adam Hutton* having on *Thursday* last applied to the Session to have that Affair brought to a Period, the Session thereupon told him, that they would give him an Answer this Day, and for that had appointed a Session to be called, Sabbath-night last, in order to intimate to them, that they were to give a Decision of that Affair this Day; and the said *Adam Hutton* having again applied this Day, the Session, after some Reasoning, came to that State of the Vote, *Proceed* or *delay*, and it was carried, *Proceed*. Thereafter, by a Majority of Votes, it was carried to refer the said Affair anent *Adam Hutton* for Advice to the Presbytery of *Dunfermline*; and therefore they did, and do refer the same to them, to meet the Day of *March* next, whereupon *David Wilson*, *James Thomson*, *James Urquhart*, and *Henry Thomson*, desired, that it might be marked, they were for delaying the Consideration of this Affair.

Upon comparing this Act with what goes before, you may judge, if such Unjustice lies, and clandestine Dealing is to be found in it, as was publickly intimate to the Congregation. The seceding Elders finding themselves a little disappointed, by the foresaid Act, of what they designed, they attended the Session upon the next *Thursday* thereafter, when they strongly insisted to have that Act blotted

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out of the Records, in order to have the Affair brought before the Session upon *Monday* the 25th instant, which was the Day they had laid their Measures to discuss the Affair, by referring it to the Associate Presbytery, which they expected then to do by a Majority of Votes, having got their two Brethren made, at that Time, as mentioned before. But this their Demand was not granted, some of the Session, adhering to the foresaid Act, being a final Determination of the Affair by a Majority of Votes in a constitute Judicatory, whereto all were warned; and having got an Extract of the same, they could not see it their Duty to give it up, until they were made to see something wrong, or unjust in the said Act, which may be a just Ground to rescind the same, which they have not as yet seen; upon which the seceding Elders gave in their Secession in Form, as follows, and left the Session.

A Copy of an Extract of the Secession of the Elders of *Dunfermline*.

WE Underscribers, Members of the Kirk-session of Dunfermline, having read and considered the Act of Session anent Adam Hutton, made upon Thursday the 14th of February instant, referring that Cause to the Presbytery of Dunfermline, do find ourselves obliged to protest, and remonstrate against the said Act for the Reasons following; 1mo, Because it is contrary to a Resolution of Session in October 1737, wherein the Session, all with one Voice, excepting one, declared, That they scrupled in their Consciences to hold a Connection with the Judicatories of the present established Church, because of several Defections then mentioned in a Representation given in by them to the Presbytery of Dunfermline, particularly the Reading of the Act of Parliament anent Captain Porteous, and suspended their Connection with them, till such Time as a Testimony should be given by this Court against the said Defections, which Testimony has never yet been given in. 2do, Because it is contrary to an Act of Session, unanimously gone into in the Month of October, or

November last by past, wherein the Session of new agreed to adhere to their former Resolution of suspending their Connection with the foresaid Judicatories, as to the sending of a Member to sit with them; and that the first difficult Cause that should come before the Session, the whole Elders should be advertised to attend upon a fixed Day, in order to give their Judgments, whether to refer the said Cause to the Presbytery of Dunfermline, or the Associate Presbytery, which Advertisement was not made to the whole of the Elders to meet upon the 14th instant. 3to, Because it is contrary to an Agreement of a Meeting of the Elders on a Sabbath-night, convened by Mr. Wardlaw's Orders; and altho' it was strongly pled, that there was a constitute Session upon Thursday the seventh instant, which appointed Adam Hutton's Affair to be discusst upon the Fourteenth; yet the same is false in Fact: For there was no Session constitute that Day, neither is that Part of the Minute fact; which runs thus, (The Session appointed a Session to be called Sabbath-night last, in order to intimate to them, that they were to give a Decision of that Affair upon Thursday the 14th) for all that was spoken that Day (not by the Session) but by the Minister and a Member, or Members of the Session, was, that the Members of the Session should be called upon Sabbath-night, which every one of them had Reason to think, was for considering a proper Time for determining that weighty Question, but no Intimation was made, that the Thursday following was to be the Day of deciding it, otherwise the Meeting of Elders upon Sabbath-night had not laid their Measures as they did; for the Members of Session, that met upon Sabbath-night, agreed, that the Affair a-nent Adam Hutton should be discusst upon Monday the 25th instant; and that Members should consider seriously upon that weighty Matter betwixt and that Time; and that, that Day should be set a-part for Prayer and Conference, and in the Close thereof, that Matter should be determined. As also they agreed, that the Church-officers should go through the whole Members, and warn them to be present that Day. 4to, That Decision of Session was made by Six of its Members, not only altogether without the Know-

Knowledge of a great Part of the Elders, notwithstanding of the above Acts and Resolutions of the Session, but also without the Knowledge of one of the Ministers of the Place, by which Decision he is exauctorated from all Exercise of Discipline in this Congregation, as a Member of that Session; and we humbly conceive, that it was grossly iniquous for the Session to make any Act or Decision, that natively turned one of the Ministers out from being a Member of their Court, without so much as telling him they were to do so. For all the above Reasons, and others, which may be added, we judge it our Duty to protest and testify against the said Act and Decision, not only as it is clandestinely and sinistruously procured in Opposition to former Acts of Session, above narrated, but also, as it is evil in it self, because it is a falling from that Testimony, which the Session had formerly gone into, in withdrawing its Connections from the Judicatories of the Established Church; which Withdrawing, as said is, was designed not only as some small Testimony against the Corruptions of the Church, but also for the maintaining of Peace and Harmony in this Judiciary and Congregation. And because the Judicatories of the Church are going on from Evil to worse, as is evident from the Grounds contained in the Judicial Act and Testimony emitted by the Associate Presbytery; and since that Time, in the reading of the Act anent Captain Porteous, which has been read by the most Part of the Ministry of this Church; and this Church, as represented in her Judicatories, instead of testifying against the manifest Compliance with the Usurpation of the Headship of the Lord Jesus Christ, in censuring of the Officers, have particularly homologate the same, by their electing of Readers to be the Moderators in the supreme Courts of the National Church, and also continuing in the habitual Track of intruding Ministers upon reclaiming Congregations, to the oppressing and scattering of the Lord's Flock and Heritage through the Land. Further, in regard, that by the Procedure of the said Judicatories, in relation to Doctrine, our Confession of Faith is no more a fixed Standard of Orthodoxy or Soundness in the Faith among the present Judicatories,

or these that are in Conjunction with them, seeing, that tho' Mr. Simson and Mr. Campbell, who were staged before the Judicatories for their erroneous Doctrine; and yet pled, that their Doctrine was no way inconsistent with, but very agreeable to our Confession of Faith; the present Judicatories never expressly and particularly condemned their Errors, as inconsistent with the said Confession; and consequently, no signing of the Confession among them can be a satisfying Evidence, that the Subscribers disclaim and renounce these pernicious and erroneous Principles that were maintain'd by Mrs. Simson and Campbell; and so our Standards are corrupted and rendered useless by the present Judicatories. Likewise in regard, that in a Way of Communion with the present Judicatories, there is no Access to have any Testimony against their evil Ways, whether by Dissent or Protest, with the Reasons thereof judicially marked and recorded, nor consequently of having the Truth thus transmitted to Posterity; this Liberty having been all along habitually refused, Witness not only a Representation and Petition to the General Assembly 1732, signed by above 40 Ministers, and several Ruling Elders, containing a particular Enumeration of Grievances, which still to this Day take Place, and a Representation and Petition signed by above 1500 People, both Elders and other Members of this Church; yet none of these could get the Credit of a Transmit to the Assembly from any of its Committees; nor when the Commissioners appointed to prosecute the Ends of these Petitions appeared at the Assembly's Bar, craving they might be taken in, Could they get a Hearing? All was stiffly and positively refused; nor was their protesting thereupon regarded; But also, of late, the Presbytery of Dunfermline themselves gave in some Paper to the General Assembly, of what Import we could never get an exact Account, only that it related to the reading of the late Act anent Porteous, and was called some Testimony against it; this Paper was neither transmitted by a Committee, nor when offered by a Member of the Presbytery to the Moderator of the General Assembly, could it have

have the Privilege of being either read, received, or recorded; and when this Session gave in a Representation to the said Presbytery of Dunfermline, concerning some of the foresaid Defections of the Judicatories, and craving their zealous Appearance in witnessing against them as a Means of clearing the Session of their Scruples, with Reference to their continued Connection with them, the said Representation was not recorded by the Presbytery, in so much that, in Connection with these Judicatories, all Testimonies for Truth and Duty, or against Error and Defection, must remain buried in perpetual Oblivion, hid both from the present and rising Generation. By all which, and many other Things that might be added, they are not only overturning the Reformation Principles of Scotland, but also they added this to their other Sins above-specified, in their condemning judicially a Testimony against the Evil of their Ways, and persecuting such as Witness against them, in doing the Duties immediately incumbent upon them from the Lord's Word. And seeing this Session is holding their Connection with, and Subordination to these Judicatories, and owning the Presbytery of Dunfermline as their Superiors: Therefore we Secede from the said Session, as holding the Connection foresaid, and from the hail other Judicatories of the Established Chtrch; Protesting, That we still hold our Offices as Elders of this Congregation; and, that our Conduct, as Office-bearers, shall not be liable to the Cognizance of this Session; which Secession we are the rather bound to make from the present established Judicatories, because the Lord, in his Providence, has raised up a Judicatory in this Land, who are espousing and maintaining our Reformation-Principles, to which we have Access to subject ourselves, both as Christians and Office-bearers, in the House of God; and we hereby declare our Adherence to these Principles, as they are contained in the Word of God, and founded thereon, summ'd up in our Confession of Faith, shorter and larger Catechisms, Sum of saving Knowledge, and Form of Church-Government; to all which we look upon ourselves as bound, both by per-
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sonal and solemn National Engagements. And this we do at Dunfermline, the 21st Day of February, 1740 Years, and upon all which we take Instruments, and crave Extracts.

DA. INGLIS.

AND. DEWAR.

ALEX. HENDERSON.

JA. THOMSON.

JOHN LETHIM.

JA. WARDLAW.

JA. BEUGO.

HARIE FISHER.

JOHN BRAND.

Extracted by ALEX. SCOTT, Sess. Cl.

In Answer to the Reasons of which Seceſſion, eſpecially what concerns the Seſſion of *Dunfermline*; The firſt Reaſon they give, is, That the Seſſion's Management is contrary to a Reſolution of Seſſion in *October* 1737, wherein the Seſſion, all with one Voice. excepting one, declared, that they ſcrupled in their Conſciences to hold a Connection with the Judicatories of the preſent eſtabliſhed Church, becauſe of ſeveral Deſections, &c. and ſuſpended their Connection with them, till ſuch Time as a Teſtimony ſhould be given by this Court againſt the ſaid Deſections, which Teſtimony has never yet been given in. It is good, they have excepted one, who may be thought to have acted according to the Light of his Conſcience, and this would ſeem to be Mr. *Wardlaw* Miniſter, who has hitherto ordinarily held a Connection with the Presbytery, by ſitting and judging therein; but if this Reaſon were true, it would evidently appear, that the whole of the reſt of the Seſſion (themſelves not excluded) were a very ſtrange Set of Men, who have acted ſo directly contrary to the Freedom of their Conſciences, ſince that Time; for, upon *November* the 17th, 1737, which was very ſoon after that alledged Declaration of the Seſſion (which ſhould have been better and longer remembred) that Day a Cauſe concerning *Thomas Smith* was referred by the Seſſion to the Presbytery of *Dunfermline*; the Witneſſes Depoſitions taken in the Seſſion, the ſame

same Day, was subscribed by Mr. *Erskine*, who was Moderator that Day, and many of the now seceding Elders then present. Likewise *March* 6th, and *April* 3d, 1738, it was intimate to both these Sessions, which were constitute, and Mr. *Erskine* sat Moderator, that Cases then standing in the Minutes were referred to the Presbytery of *Dunfermline*, and no Objection was offered by any against the same. At another Session constitute *February* 16th 1738, where 14 Members were present, and the most Part of them, then present, now Seceders, an Affair concerning *James Inglis* and *Agnes M'craich* was by that Session referred to the Presbytery of *Dunfermline*, to meet there upon *Wednesday* thereafter; and both Parties were cited *apud acta* to compare before the said Presbytery, and no Objections was given, even by the now Seceders, altho' then present. From all which References, and others, that may be seen in the Records, it is plain, that all the Session, excepting one, never as yet had any Scruple in their Consciences to hold a Connection with the Judicatories of the present established Church; and that they never suspended their Connection with them further than to delay to choose an Elder to sit in the Presbytery for some Time, to prevent Disturbance and Separation, as was hinted at before. If therefore the seceding Elders consult their own Honour, or the Good of the Cause they espouse by this Seccession, they should, at least, pled with the Session of *Dunfermline* to allow them to blot out this first Reason, upon which they found their Seccession, it being manifestly false.

As to their second Reason, the most of it is answered already; yet one Thing is observable in it: They assert, That the Act of Session in *October* or *November* last, bears, That the first difficult Cause that should come before the Session, the whole Elders should be advertised to attend upon a fixed Day, in order to give their Judgments, whether to refer the said Cause to the Presbytery of *Dunfermline*, or the Associate Presbytery; which Advertisement (they say) was not made to the whole of the Elders to meet upon the 14th instant.

In which they plainly misrepresent the Case; for the express Terms of the Act run thus, " That before a Reference
should

“ should be determined, a full Meeting of the Session shall be
 “ called, and they then determine, whether the same shall be
 “ judged by the Established Church or the Associate Presby-
 “ tery.” Which makes it plain, that the Session of *Dunferm-*
line, instead of acting contrary to the above Act, they have
 stuck much closer by it than the Seceders would have had
 them do by their Delay; for altho’ there had been no Ad-
 vertisement given to the Elders to attend, *prior* to what was
 given upon the 14th instant (it being still asserted that there
 was) yet it could be proven by above a Hundred, that up-
 on the 14th instant, a full Meeting of the Session was cal-
 led (if they did not attend, they have themselves to blame)
 and they then determined; which is directly according to
 the exprels Terms of that Act, as it is to be seen in the Re-
 cords: From all which it is plain, that this second Reason,
 the seceding Elders offer for their Seccession, is too near a
 Kin with the former, and deserves the same Treatment.

In their third Reason, they say, the Conduct of the Ses-
 sion was contrary to an Agreement of a Meeting of the
 Elders on a *Sabbath* Night, conven’d by Mr. *Wardlaw’s*
Orders, &c.

Altho’ Mr. *Wardlaw* gave no Orders further, than that
 he intimate to the Elders upon *Thursday* the 7th instant,
 that it was the Mind of the Session upon the Monday be-
 fore, That a Meeting of the Elders should be called upon
 the *Sabbath* Night; yet this evidently contradicts what they
 asserted in their former Reason; and proves, That there
 was a full Meeting of the Elders called, in order to acquaint
 them, that that Affair was to be determined, which was
 the only Design of calling the Elders to meet that Night;
 and that the *Thursday* thereafter, being the first Day af-
 ter the Intimation, upon which the Session ordinarily meets,
 was the Day designed by the Session upon the foresaid *Mon-*
day for determining the Affair, the most of the Session
 never had the least Doubt about, especially considering,
 that the Person concerned therein, was so pressing to have
 it decided; and was told, in the Meeting of the Session,
 upon the *Thursday* before, that he was to get his Answer
 upon the next *Thursday*, which was not objected against
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by any, altho' the now seceding Elders were then present. And to say, that there was an Agreement of the Meeting of the Elders upon that *Sabbath* Night, to discuss the above Affair upon *Monday* the 25th, is plainly false, it having been only proposed by some of the now seceding Elders to delay it till that Day, which was strongly opposed by others of the Elders, who told, that *Thursday* first was the Day appointed, and could not be altered; which proves, that there was no great Agreement in that Meeting, neither was it a constitute Session that *Sabbath* Night, both the Ministers being then absent: And how a few of the Members could take upon them that Night to appoint the fore-said *Monday* in both the Ministers Absence, is more than they can account for, they having acted therein above their Sphere, especially knowing very well, what had passed in the Session upon the fore-said *Monday* and *Thursday*. As to what they assert, That it was strongly pled, that there was a constitute Session upon the *Thursday* the 7th instant, which appointed that Affair to be discuss upon the 14th, not one Person pleads it, every one knowing, that it was not necessary to constitute one Session, in order to call a Meeting of another upon the *Sabbath* Night thereafter, in order to intimate to them, that they were to give a Decision of that Affair upon *Thursday* the 14th, being the Day proposed in a constitute Session upon the fore-said *Monday*, when both Ministers were present, and no Person objected; which Intimation was made to the Elders upon the *Sabbath* Night. And what Reason had any of the Members to think, That the calling of the Elders upon the *Sabbath* Night, was for considering a proper Time for determining that weighty Question, when it was intimate to the Person concerned upon *Thursday* the 7th in their Presence, which they might have heard (others, and the Person himself having heard it) that he was to get his Answer the *Thursday* following, and no Objections made? These Members evidently would seem to have some other Reasons, than what they advance, for laying their Measures, as they did, upon that *Sabbath* Night, viz. That the Affair should be discuss upon *Monday* the 25th, and that Members should consider seriously upon that weighty Matter betwixt and that Time; and that, that Day should be set a-part for Prayer

and Conference, &c. If this was their real Design, What made these same Persons plead so strongly a few *Sabbaths* before that, to have the Session determining by a Vote, if they would wholly give up their Connection with the Judicatories of the Established Church or not? which would have been much the same with the above Affair; yet this they would freely have gone in with that same Night, without either much Consideration or Prayer, except a short Prayer to constitute a Session. But what seems to be a better Reason for their Delay, you have it before. As for their sending the Church-officer through the whole Members to warn them to be present at their Appointment; there was never any such Thing practised, or proposed, either in Act or Session, till that *Sabbath* Night; which makes it evident, that they were pretty sure, the *Thursday* thereafter was the Day appointed; and therefore they would send the Officer to acquaint the Members, who were absent that Night, that they had altered the Day, lest they should have attended upon the *Thursday*, which would not have made so much for their Purpose: But, that the Session, that *Sabbath* Night, agreed to do so, is plainly false.

As to their *fourth* Reason for Secession, viz. That that Decision of Session was made by six of its Members, not only altogether without the Knowledge of a great Part of the Session or Elders, but also without the Knowledge of one of the Ministers of the Place, &c. This is so far true, as that they could not know, that that Decision was made that Day, until they were informed thereof, there being none of them present as before, excepting one; but that they did not know, that the Session really were determined to bring it to an Issue that Day, is manifestly false, and the contrary could easily be proved. There were indeed two or three of their Party who were absent upon the *Sabbath* Night, who could not be said to know it, because there were Expresses sent to some of them, forbidding them to attend upon that *Thursday*, and the Absence of all of them, excepting one who attended for other Reasons, makes it evident, that they knew something of it. And (to use their own Expression) how grossly iniquitous is it for them to say, that the Session, by this Act or Decision,

on, have exauctorate one of the Ministers of the Place from all Exercise of Discipline in this Congregation, as a Member of that Session, or that the Session have turned him out from being a Member thereof, without so much as telling him they were to do so? It is plain from what has been said, and from that Minister's Act which he dictated with his own Mouth, that, if he be exauctorate, he has done it himself; for it is plain from that Act, that the Session were necessarily obliged to do as they have done, or to join with the associate Presbytery, which he knew very well they could not do, they having never as yet seen a solid Ground, either from Scripture or Reason, for seceding from the Judicatories of the Established Church of *Scotland*. And to say that the Session have turned him out from being a Member of their Court, is as unjust as to say, that the Assembly have already suspended or deposed him, the contrary whereof is very evident. That Minister has seen it meet to withdraw himself, and to separate from these Judicatories, and from this Session in particular, where he would be welcome by all in it to sit as formerly; and it is evident, from what is already adduced, that he is as safe, and consistent with his Principles, to do it now, as he has been some Years bygone, there being nothing done in this Session now, but a simple Reference to the Presbytery of *Dunfermline* for Advice, which has frequently taken Place of late, and yet no Secession or Protest offered.

The other Reasons for their Secession concern the supreme Judicatories, and do not ly in the Way of the Session of *Dunfermline* to answer them: Only with respect to that Paper which was given in to the Assembly, by a Representative of the Presbytery of *Dunfermline*, which the Seceders say was called, *Some Testimony against the reading of the Act anent Porteous*; of what Import, they say they could never get an exact Account.

If they had spoke the real Truth, they would have said, That they never were at the Pains to demand an exact Account thereof, because it was not in the same Words with the *Testimony* emitted by the seceding Ministers, and in the same Way that their Testimony was emitted: But in case their Intelligence anent the same has been so bad as they

represent, (which it does not use to be) the following is a Copy thereof, taken out of the Presbytery-Books of *Dunfermline*, where it stands recorded, and any of them may have Access to see it there.

Copy of Representation by the Presbytery of
Dunfermline, to the General Assembly in
the Year 1738.

AT Dunfermline, the Twenty sixth Day of April, One thousand seven hundred and thirty eight Years, the which Day the Committee appointed to prepare a Draught of a Representation to the ensuing General Assembly, gave in their Report, which was read and approved: The Tenor whereof follows.

Unto the Venerable Assembly of the Church of Scotland, the Representation of the Presbytery of Dunfermline, humbly sheweth, That, whereas it has been formerly the laudable Practice of Ministers, and others in this Church, to lay before superior Judicatories what has appeared to them to be of great Moment for the general Good, it is with no small Concern we observe, That lamentable Divisions have, for a considerable Time, subsisted, and seem to be still increasing, the Lord having divided us in his Anger; which Divisions, we fear, instead of being healed, would be rather widened by rigorous Measures: May we therefore be allowed to suggest, with great Submission, That, in our present Situation, it appears to be the most probable and promising Method, for reviving desirable Peace and Harmony, that Christian Conferences be set on Foot, and frequently held among those who differ, guarding, with the very utmost Care, against every Thing that might tend to irritate, and ruffle the Minds of Men on either Hand, and in the Use of much Prayer, and friendly Conversation, enquiring into these Points that have occasioned Debate; especially to assist one another in searching out the true Causes of the Lord's Controversy with us, and what Means may be most proper for
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the Revival of true Godliness, and promoting a real Reformation, personal and publick, according to Scripture-Pattern, and restoring sound Peace and Harmony in this Church. And, as in all human Societies on Earth, there have been, are, and will be different Sentiments and Practices in some Things, so, in order to a just and comfortable Union in the uncontroverted Duties, among these who adhere to the common Standard of sound Principles, we humbly conceive it is necessary, that there be Access for using all becoming Freedom in representing what is thought amiss in one another's Conduct, which is still to be done with all suitable Respect, and in the lively Exercise of sincere Christian Love, for mutual Edification; such Freedoms are so far from having any native Tendency to Division, Schism, or Separation, that they appear to be proper and necessary Means to strengthen Union in the Lord's Way. In this View we beg Leave to signify, in all Humility, That, whereas by a late Act of Parliament, intituled, Act for the more effectual bringing to Justice the Murderers of Captain John Porteous, appointed to be read by the Ministers of this Church twelve Lord's Days in the Space of one Year, before Sermon in the Forenoon, which, with us, is in the midst of Divine Worship, and that under Penalties therein expressed and enacted, one of which appears to us plainly Ecclesiastical; and consequently, that thereby the Glory of Christ, as King and Head of his Church, is injured the Privileges of this Church derived from him, and secured to us by Law, are encroached upon: And that notwithstanding, the said Act has been read by many Reverend Ministers of this Church, which we apprehend inconsistent with the Principles of this Church, founded on the Word of God, and ratified by the Laws of the Land; especially the Principles concerning the Headship of Christ alone over his Church, and her intrinsick Power and peculiar Privileges, derived from him as a Kingdom, distinct from the Kingdoms of this World, altho' we do not say, that they who read it had shir Views: Upon all which, we beg Leave, with all Humility, and becoming

becoming Regard, to represent, That, as this Practice appears to us detrimental to the Honour of Christ's Interest, Peace and Unity of his Church, and Success of the Gospel; so the Venerable Assembly would be pleased to signify, in some proper Way, their Disapprobation of it; as also of the Injuries done to the Christian People, in several Places of this Land, in depriving them of their just Right, in chusing their own Pastors, which have been the Causes of most lamentable Divisions, and we reckon is derogatory to the Glory of Christ's kingly Government, and his Church's Privileges. Against these and other Defections of this Church, we reckon ourselves bound in Duty to offer our poor Testimony, which we humbly beg may be received, and recorded by the Venerable Assembly. And as we have taken this Freedom with our Reverend Brethren who have differed from us, we own it is reasonable they should use the same Freedom with us, in whatsoever they judge culpable in our Conduct. That the Venerable Assembly may be graciously directed by the Spirit of all Truth, and be made instrumental for promoting the Ends of God's Glory, and the Wellfare of this Church, is our hearty Prayer.

N.B. The above is a just Copy of the Representation by the Presbytery of *Dunfermline*, to the General Assembly anno 1738, which the Commissioners from that Presbytery laid before the Committee of Bills, and by them transmitted to the Committee of Instructions, and by them to the Committee of Overtures, who declined to transmit the same to the Assembly: Whereupon Mr. *Wardlaw*, one of the Commissioners from *Dunfermline* Presbytery, offered the said Representation to the Assembly under Form of Instrument.

The above plainly proves what the seceding Elders found their Secession on, with Respect to it, to be very unfair; and let any impartial Dealer judge, if this Paper deserves such Treatment as it meets with in these Elders Secession.

As to what they say with Respect to the Representation given in by this Session to the Presbytery of *Dunfermline*, its not being recorded by the said Presbytery;

In this these Elders most unjustly blame the Presbytery, it being wholly the Session's Fault that it was not recorded: For when the Elder, who gave in the said Representation to the Presbytery, demanded that it might be recorded there was not one Member of the Presbytery that objected against it: But the true Reason why it was not put in the Records is, That the Session, or Person who wrote the Representation, neglected to put a Clause in it, requiring it to be registrate; therefore the Presbytery-clerk told he could not do it.

To sum up all their Secession, they subscribe it at *Dunfermline* the 21st Day of *February* 1740 Years, where some of the Subscribers know they were not at that Time, neither for two Weeks before or after that Date.

From the whole, these Elders would have been accounted fully wiser, to have said, in plain Terms, That they would secede from the Judicatories of the Church of *Scotland*, only because they would do it, and accede to that Judicatory which they say are espousing and maintaining our Reformation-Principles; which Principles these Elders declare their Adherence to, as they are contained in the Word of God, and founded thereon, summ'd up in our *Confession of Faith*, &c. Which Principles we, Members of the Kirk-session of *Dunfermline*, desire and hope, in the Strength of that Grace that is in the Lord Jesus Christ, who is the alone Head, King, and Governor of his Church, closely to adhere unto, and to lament in the Lord's Sight, over whatever is contrary in any to these Principles: More particularly, we desire to be heartily concerned for these sad Divisions that take Place through the Land, and in this Place and Congregation; which Divisions we humbly judge are so far from being consistent with *Presbyterian* Reformation-Principles, that they are directly contrary to the same, in so far as these Divisions are not only from bad Men and bad Practices, but also from Ministers, who have evidently the Tokens of the Lord's Presence with them, and are (in a Way that they take to be plain from the Lord's Word, altho' not in the Way of Secession from the Judicatories) wrestling against all the Defections that take Place, both in Judicatories, and al-

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with the Lord in private. Also we desire to be grieved for that lamentable Evil, taking so much Place now thro' the Land, of People absenting from the Lord's Ordinances, as they are purely dispenced by his Servants whom he has sent to dispence the same, and encouraged thereto both by the Doctrine and Example of Ministers; which Ordinances are not only appointed by the King and Head of the Church, to be the ordinary Means to subdue Sinners to himself, and to make them his loyal Subjects, and to nourish and build them up, but are also remarkably blessed to severals for that End: The despising of which Ordinances, as some are pleased to do, not only by wilfully absenting themselves from them, but by publicly endeavouring to perswade others, that they are not the Ordinances of Christ, we humbly think is so far from being a Testimony for Christ and his Truths, that it is a plain sinning against him, attended with very aggravating Circumstances, it being a plain trampling upon the Authority of our Lord Jesus Christ, the Appointer of these Ordinances, and a rearing of his Servants Commission, whom he has sent to dispense them in his Name: As also a leading off People from the Means of Grace, and their Salvation; having also a Tendency to encourage some in their Ignorance and Atheism: Therefore we cannot but testify against this Method of testifying, humbly acknowledging our not being duly humbled for these Things, nor having them so much at Heart as we ought. And whatever Persons may be pleased to advance, either in publick from the Pulpit, or in private, abroad or at home, in Contradiction to what is attested, or in order to ridicule the Conduct of this Session in the foresaid Act; yet we rest satisfied, that there is nothing advanced by us but plain Truths.

Extracted by ALEX. SCOTT *Sess. Cl.*

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